

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

GLACIER BEAR RETREAT,  
LLC, GAIL L. GOODWIN, and  
DARRYL C. SLATTENGREN,

Plaintiffs/Counterclaim  
Defendants,

vs.

MATT DUSEK AND  
RACHEL DUSEK,

Defendants/Counterclaimants.

CV 22-19-M-KLD

ORDER

Defendants Matt and Rachel Dusek have filed an unopposed motion to approve the supersedeas bond and stay the execution of the judgment pending their appeal to the Ninth Circuit Court of Appeals. (Doc. 71). Under Rule 62(b), “a party may obtain a [further] stay [pending appeal] by providing a bond or other security. The stay takes effect when the court approves the bond or other security and remains in effect for the time specified in the bond or other security.” *See United States v. Birdsong*, 2019 WL 1026277, at \*1 (D. Mont. Mar. 4, 2019). To be effective, the bond must be issued by a company certified by the United States Department of the Treasury.<sup>1</sup>

---

<sup>1</sup> The list of U.S. Treasury-certified companies is available here: <https://www.fiscal.treasury.gov/surety-bonds/list-certified-companies.html>.

Defendants have submitted evidence showing they have secured a supersedeas bond in the amount of \$10,326,387, which reflects the full amount of the purchase price of the property, plus attorney's fees and cost, as well as one year of postjudgment interest at the federal rate of 4.7% less the \$250,000 earnest money held by the title company. This amount is sufficient to protect the Plaintiffs' interests pending appeal. Accordingly,

IT IS ORDERED that the Defendants' Motion to Approve Supersedeas Bond and to Stay Judgment Execution Pending Appeal (Doc. 71) is GRANTED. The supersedeas bond in the amount of \$10,326,387 is approved on the condition that the original bond be provided to the Clerk's Office for the United States District Court in Missoula, Montana, within five (5) business days of the date of this Order. Execution of the Judgment (Doc. 48) and Taxation of Costs (Doc. 54) as amended (Docs. 65 and 68) are STAYED pending resolution of this matter on appeal. The stay granted by this Order shall expire ten (10) days after issuance of the mandate by the Ninth Circuit Court of Appeals.

DATED this 9th day of May, 2023.



---

Kathleen L. DeSoto  
United States Magistrate Judge